

HO-CHUNK NATION LEGISLATURE
Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE
GRANT OF AN EXTENSION FOR SUBMISSION OF THE
FISCAL YEAR 2008-2009 EXECUTIVE BRANCH BUDGETS
RESOLUTION 2-19-08 C

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation (“Nation”) is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution (“Constitution”) grants the Ho-Chunk Nation Legislature (“Legislature”) the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; and
- WHEREAS,** Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its Legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and
- WHEREAS,** the Ho-Chunk Nation Legislature passed the *Appropriations and Budget Process Act* (2 HCC §4) (hereinafter “ACT”); and
- WHEREAS,** the purpose of the ACT is to “provide[] the Ho-Chunk Nation branches of government policy and guidance in preparing budgets to ensure fiscal responsibility and integrity within the Nation.”; and
- WHEREAS,** Section 5, subparagraph f. of the ACT states that “[t]he Finance Committee shall, not later than the last business day in November, provide notification of budget projections for the succeeding fiscal year. Such projections shall identify spending limits on each and every branch of the Nation government in order to assist the development of timely and responsible budgetary outlays.”; and
- WHEREAS,** the Executive Branch spending limits were set at the November 28, 2007 Finance Committee meeting; and

Executive Offices

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WHEREAS, Section 5, subparagraph a. (1) (a) of the ACT provides “[t]he President shall submit a proposed annual fiscal year budget, including detailed narratives for each executive department and/ or program to the Finance Committee not later than February 15 of each year for the succeeding fiscal year.”; and

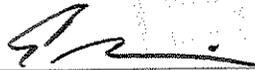
WHEREAS, Section 5, subparagraph a. (4) of the ACT authorizes that, “[t]he President, Vice President, or the Chief Trial Judge may request an extension of time beyond February 15 to submit a proposed annual fiscal year budget provided such request is submitted in writing to the Chairperson of the Finance Committee prior to February 1. An extension may be granted by the Legislature if it finds there is good cause to grant an extension. Any extension beyond February 15 shall be authorized by Legislative Resolution.”

NOW THEREFORE BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, finds that there is good cause to grant an extension for submission of the fiscal year 2008-2009 Executive Branch budgets.

BE IT FURTHER RESOLVED that the fiscal year 2008-2009 Executive Branch budgets shall be submitted by March 5, 2008.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **11 members**, of whom **6** constituting a quorum were present at a meeting duly called and convened and held on the **19th day of February, 2008**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **6 members, 0 opposed, and 0 abstaining**, pursuant to the authority of Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.



Elliott Garvin, Tribal Secretary

2-19-08

Date